

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
Eastern Division

DOCKETED
SEP 23 2003

SCOTT AXELROD,

Plaintiff,

v.

OFFICER A. MERCADO, star #16885 and
OFFIFLORES, star # 10894,
Defendants.

No. **02C 2619**
02-G-8002

JUDGE MAROVICH

MAGISTRATE JUDGE
BROWN

NOTICE OF MOTION and CERTIFICATE OF SERVICE

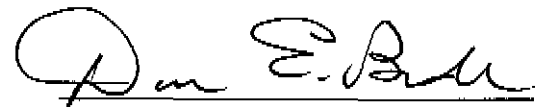
To: Thomas Crooks
Three First National Plaza
Suite ~~838~~ 1950
Chicago, IL 60602

PLEASE TAKE NOTICE that I have filed with the Clerk of the above Court
**DEFENDANTS AGREED MOTION TO FILE THEIR MOTION FOR SUMMARY
JUDGEMENT INSTANTER, AND TO CHANGE THE BRIEFING SCHEDULE BY ONE
DAY** a copy of which is attached and served upon you.

PLEASE TAKE FURTHER NOTICE that on September 24, 2003, at 10:30
am, counsel for defendant Carlos Cortez will appear before the Hon. Judge Marovich in
Courtroom 1743, 219 S Dearborn St, Chicago, Illinois, and will then and there present the
attached agreed motion. A copy of that motion is herewith served upon you.

I hereby certify that I have caused a copy of this notice and the attached
document to be served on the persons to whom it is addressed by causing it to be hand-
delivered, to Thomas Crooks, at the addresses shown above, this 16th day of September,
2003.

30 North LaSalle Street
Suite 1400
Chicago, Illinois 60602
(312) 744-0454


Dawn E. Bode
Assistant Corporation Counsel

03 SEP 16 PM 5:26
CLERK
U.S. DISTRICT COURT

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DEFENDANTS' AGREED MOTION TO FILE INSTANTER, AND
CHANGE THE BRIEFING SCHEDULE BY ONE DAY

Defendants Allen Mercado and Robert Flores, move this honorable court for leave to file their motion for summary judgement, and supporting memorandum one day late instanter, and to provide plaintiff with one additional day in which to submit his response brief or until October 7, 2003. Plaintiff's counsel has no objection. In support of their motion, the defendants state:

1. On September 9, 2003, at defendants' request, this Court set a briefing schedule.
2. Specifically, the defendants were given until September 15, 2003 to file their summary judgement submissions, and plaintiff was given until October 6, 2003 to file his response.
3. From that Court date, the Defendants' counsel continued to work diligently on the preparation of the materials, but was unable to complete the documents by September 15, 2003, instead filing on September 16, 2003, one day later.

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4. That plaintiff does not have any objection to this filing of one day late, and this one day will not prejudice the plaintiff in this action.
5. Defendants request that plaintiff be provided with an additional day to submit his response, which would be October 7, 2003.
6. Defendants are not requesting that the Court change the date of the reply brief from the originally set October 20, 2003 date.

WHEREFORE, individual defendants ask that this honorable court grant them leave to file their summary judgment materials instantler, and grant plaintiff until October 7, 2003 to submit his response brief, and any other relief that this Court deems just and equitable.

Respectfully submitted,

By: 
DAWN E. BODE
Special Assistant Corporation Counsel

30 North LaSalle Street
Suite 1400
Chicago IL 60602
(312) 744-0454
FAX: (312) 744-6566